

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

32301WX216

First Named Inventor: Bathe

Examiner: Kerr, K

App. No.: 09/942,935

Group Art Unit: 1652

Filed: August 31, 2001

For: NUCLEOTIDE SEQUENCES CODING FOR THE sigM GENE

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

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This is in response to the Office Action mailed June 4, 2003 regarding the above identified patent application. The Office Action required Applicants to restrict prosecution of the claims in this application to:

- Group I. Claims 1-12 and 28 (drawn to polynucleotides coding for the sigM gene, vectors and host cells thereof);
- Group II. Claims 13-27 (drawn to methods of making L-amino acids); or
- Group III. Claims 29 and 30 (drawn to methods for isolating nucleic acids related to the sigM gene).

Applicants hereby elect Group I (claims 1-12 and 28) and request that the claims of group II and III be rejoined if the product claims in Group I are found to be allowable.

Applicants reserve the right to file divisional applications for the non-elected claims in due course.

Applicants submit that this application is now in condition for examination on the merits and early action in that regard is solicited.

Respectfully submitted,

SMITH, GAMBRELL & RUSSELL, LLP

Date : June 18, 2003

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* Practice is limited to matters and proceeding before federal courts and agencies.



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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/942,935
	Filing Date	August 31, 2001
	First Named Inventor	Bathe, Brigitte
	Art Unit	1652
	Examiner Name	Kerr, Kathleen M
Total Number of Pages in This Submission	Attorney Docket Number	032301.216

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ENCLOSURES (check all that apply)		
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Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Brandon S. Boss (Reg. 46,567)
Signature	
Date	June 18, 2003

CERTIFICATE OF MAILING			
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Signature		Date	

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